

Gp 2761



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Jay S. Walker et al. )

For: METHOD AND APPARATUS ) Examiner: Not Yet Assigned  
 FOR FACILITATING )  
 ELECTRONIC COMMERCE )  
 THROUGH PROVIDING )  
 CROSS-BENEFITS DURING A )  
 TRANSACTION )

Serial No.: 09/219,267 ) Group Art Unit: 2761

Filing Date: December 23, 1998 ) Docket No.: WD2-98-109

Assistant Commissioner for Patents  
 Washington, D.C. 20231

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Sir:

Applicants hereby submit the following documents for the above-identified patent application:

1. Supplemental Information Disclosure Statement;
2. Form PTO-1449;
3. Copy of one hundred three (103) references cited therein; and
4. Return Receipt Postcard.

The Commissioner is hereby authorized to charge \$ 0.00 to Deposit Account No. 50-0271 for the fees required for the enclosed Information Disclosure Statement. The Commissioner is further authorized to charge any further required fees, or to credit any overpayment, to Deposit Account No. 50-0271. A duplicate copy of this authorization is attached for such purpose.

Respectfully submitted,

*D. Alderucci*  
 Dean Alderucci  
 Attorney for Applicants  
 PTO Reg. No. 40,484  
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June 28, 1999

Date

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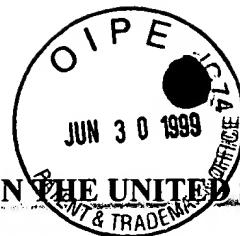
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 Signature

June 28, 1999

Date



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**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Sir:

Applicants submit herewith patents, publications or other information of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a thorough search has been made, an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists. Nor shall the filing of this information disclosure statement be construed as an admission against interest in any manner.

This Information Disclosure Statement is filed in accordance with 37 C.F.R. §§1.56, 1.97 and 1.98. The items listed below and on the accompanying Form PTO-1449 may be deemed to be pertinent to the above-identified application and are made of record to assist the Patent and Trademark Office in its examination of this application. The Examiner is respectfully requested to fully consider these items and to independently ascertain their teaching.

- A. U.S. Patent 3,573,747 entitled "INSTINET COMMUNICATION SYSTEM FOR EFFECTUATING THE SALE OR EXCHANGE OF FUNGIBLE PROPERTIES BETWEEN SUBSCRIBERS," issued to Adams et al. on April 6, 1971.
- B. U.S. Patent 4,108,361 entitled "UNIVERSAL MARK SENSE BETTING TERMINAL SYSTEM AND METHOD," issued to Stephen R. Krause on August 22, 1978.
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- D. U.S. Patent 4,494,197 entitled "AUTOMATIC LOTTERY SYSTEM," issued to Troy et al. on January 15, 1985.
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- P. U.S. Patent 4,859,838 entitled "POS TERMINAL DEVICE," issued to Okiharu on August 22, 1989.
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- R. U.S. Patent 4,903,201 entitled "AUTOMATED FUTURES TRADING EXCHANGE," issued to Wagner on February 20, 1990.
- S. U.S. Patent 4,922,522 entitled "TELECOMMUNICATIONS ACESSTO LOTTERY SYSTEMS," issued to Scanlon on May 1, 1990.
- T. U.S. Patent 4,937,853 entitled "LOTTERY AGENT DATA COMMUNICATION/TELEPHONE LINE INTERFACE," issued to Brule et al. on June 26, 1990.
- U. U.S. Patent 4,982,337 entitled "SYSTEM FOR DISTRIBUTING LOTTERY TICKETS," issued to Burr et al. on January 1, 1991.
- V. U.S. Patent 4,993,714 entitled "POINT OF SALE LOTTERY SYSTEM," issued to Golightly on February 19, 1991.
- W. U.S. Patent 5,021,953 entitled "TRIP PLANNER OPTIMIZING TRAVEL ITINERARY SELECTION CONFORMING TO INDIVIDUALIZED TRAVEL POLICIES," issued to Webber et al. on June 4, 1991.
- X. U.S. Patent 5,025,372 entitled "SYSTEM AND METHOD FOR ADMINISTRATION IF INCENTIVE AWARD PROGRAM THROUGH USE OF CREDIT," issued to Burton et al. on June 18, 1991.
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- KKK. U.S. Patent 5,664,115 entitled "INTERACTIVE COMPUTER SYSTEM TO MATCH BUYERS AND SELLERS OF REAL ESTATE, BUSINESSES AND OTHER PROPERTY USING THE INTERNET," issued to Fraser on September 2, 1997.
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1. [ ] Any copy of the items listed above and on the enclosed copy of Form PTO-1449 that is not enclosed with this Information Disclosure Statement was previously cited by or submitted to the Patent and Trademark Office in the prior [ ] Continuation, [ ] Divisional or [ ] Continuation in part application filed under 37 C.F.R. §§ 1.53 or 1.60, U.S. Serial No. \_\_\_\_\_, filed \_\_\_\_\_.
2. [ ] For each of the following items listed above and on the enclosed copy of Form PTO-1449 that is not in the English language, a European Search Report from a counterpart European application is enclosed. Such items are marked as reference letter(s): \_\_\_\_\_.
3. [ ] For each of the following items listed above and on the enclosed copy of Form PTO-1449 that is not in the English language, a concise explanation of the relevance of that item is incorporated in the specification of the above-identified application. Such items are marked as reference letter(s): \_\_\_\_\_.
4. [ ] In addition to the citations listed above, applicants respectfully direct the Examiner's attention to the following U.S. patent applications, which are commonly assigned to the assignee of the instant application, and which may be deemed pertinent to the instant application:

<u>Serial No.</u>	<u>Inventors</u>	<u>Filing Date</u>	<u>Group Art Unit</u>	<u>Examiner's Init.</u>
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The Examiner is respectfully requested to fully consider and independently ascertain the teachings and relevance of those applications with respect to the instant application. These applications have not been listed on the accompanying Form PTO-1449 in order to preserve their secrecy during the course of their prosecution.

5. [X] No fee is believed to be due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with:
  - [ ] 37 C.F.R. §1.97(b)(1), within three months of the filing date of the above-identified application.
  - [ ] 37 C.F.R. §1.97(b)(2), within three months of the date of entry into the national stage as set forth in §1.491.
  - [X] 37 C.F.R. §1.97(b)(3), before the mailing date of a first Office Action on the merits.
6. [ ] No fee is believed to be due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. 1.97(c), after the period specified in paragraph 5 above but before the mailing date of a

final action or a Notice of Allowance (where there has been no prior final action), and is accompanied by one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 10 below.

7.  A fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(c) after the period specified in paragraph 5 above but before the mailing date of a final action or a Notice of Allowance (where there has been no prior final action). The fee due under 37 C.F.R. §1.17(p) is to be paid as set forth in paragraph 11 below.
8.  A fee is due under 37 C.F.R. §1.17(i)(1) for this Information Disclosure Statement since it is being filed in accordance with 37 C.F.R. §1.97(d), after the mailing date of a final action or a Notice of Allowance, but before the payment of the issue fee, and is accompanied by:
  - a. one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 10 below; and
  - b. the attached petition requesting consideration of this Information Disclosure Statement; and
  - c. the fee due under 37 C.F.R. §1.17(i)(1) which is paid as set forth in paragraph 11 below.
9.  A fee is due under 37 C.F.R. §1.17(i)(1) for this Information Disclosure Statement since it is being filed in compliance with:
  - 37 C.F.R. §1.313(b)(3), after the issue fee has been paid and information cited in this Information Disclosure Statement may render at least one claim unpatentable and is accompanied by the attached Petition to Withdraw Application from Issue;
  - 37 C.F.R. §1.313(b)(5), after the issue fee has been paid and information cited in this Information Disclosure Statement is to be considered in a Continuation application upon abandonment of the instant application and is accompanied by the attached Petition to Withdraw Application from Issue.
  - The fee due under 37 C.F.R. §1.17(i)(1) is paid as set forth in paragraph 11 below.
10.  I hereby certify:
  - that each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent

office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. A copy of such communication is enclosed.

that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

11.  Please accept payment of the fees due as indicated below:

A check in the amount of \$240.00 is enclosed in payment of the fee due under 37 C.F.R. 1.17(p).

The Commissioner is hereby authorized to charge \$240.00 to Deposit Account No. 50-0271 in payment of the fee due under 37 C.F.R. §1.17(p). A duplicate copy of this sheet is attached for such purpose

A check in the amount of \$130.00 is enclosed in payment of the fee due under 37 C.F.R. §1.17(i)(1).

The Commissioner is authorized to charge \$130.00 to Deposit Account No. 50-0271 in payment of the fee due under 37 C.F.R. §1.17(i)(1). A duplicate copy of this sheet is attached.

12.  The Commissioner is hereby authorized to charge any additional fees which may be required for this Information Disclosure Statement, or credit any overpayment to Deposit Account No. 50-0271. A copy of this authorization is attached.

Respectfully submitted,



Dean Alderucci

Attorney for Applicants

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